REMARKS

This application has been reviewed in light of the Office Action dated June 22, 2005. Claims 25-32 are presented for examination, of which Claims 25 and 29 are in independent form. Favorable reconsideration is requested.

In the June 22, 2005 Office Action, Claims 25-27 and 32 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,084,875 (Weinberger); Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Weinberger in view of U.S. Patent No. 5,021,892 (Kita); and Claims 29-31 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kita in view of Weinberger.

On November 21, 2005, Applicant's attorney conducted a telephone interview with the Examiner, during which Applicant's attorney argued that Weinberger does not teach or suggest "a communication step of communicating commands from the host computer to the data communication apparatus through the interface, wherein the data communication apparatus is comprised of units including at least a scanner unit and a printer unit," as recited in Claim 25. The Examiner indicated that he agreed, and stated that he would withdraw his rejection based on Weinberger if Applicant repeated this argument in a written response to the Office Action. Applicant's counsel additionally argued during the telephone interview that nothing in Weinberger would teach or suggest "a checking step of checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus, wherein the status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state," as recited in Claim 25. The above constitutes a summary of the substance

of the November 21, 2005 interview.

The aspect of the present invention set forth in Claim 25 is a method of controlling a data communication apparatus in a data processing system. The data processing system includes the data communication apparatus and a host computer connected to the data communication apparatus by an interface. The method includes a communication step of communicating commands from the host computer to the data communication apparatus through the interface. The data communication apparatus is comprised of units including at least a scanner unit and a printer unit. The method also includes a checking step of checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus. The status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state. The method also includes a notification step of notifying the host computer of the checked status of each of the scanner unit and the printer unit discretely.

Among other notable features of Claim 25 is (1) communicating commands from the host computer to the data communication apparatus through the interface, wherein the data communication apparatus is comprised of units including at least a scanner unit and a printer unit and (2) checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus. The status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state. That is, the host computer is able to recognize not only whether each of the scanner unit and the printer unit is in a normal or

abnormal state, but also recognizes the cause of an abnormal state, so that the host computer can manage the situation easily and promptly.

Weinberger relates to a system for automatically and remotely monitoring the status of one or more copier machines from a central location. The system includes a translator 6 located at the copier site for providing a uniform interface between a copier 2 and a central data collection point 4, which includes a scanner/multiplexer 14 and a data collection computer 16. The translator 6 communicates with the copier 2 through the use of a tap data 8, which monitors the error signal transmitted from a copier control computer 10 to a copy status display 12. The copier status is then transmitted through the translator 6 to scanner/multiplexer 14 at the central location point 4 and stored in a database. (Column 2, lines 44-63.)

The translator 6 periodically evaluates the condition of the copier 2, and stores the information in a RAM 28 located in the translator 6. (Column 5, lines 3-9.) When a service request command from the central data collection point 4 is received by the translator 6, the most recent condition evaluation is retrieved from RAM 28 and sent to the data collection point 4. (Column 5, lines 54-64.)

Weinberger discusses that the translator 6 is polled by the scanner 14, which is controlled by computer 16, to obtain the most recent status information. However, nothing has been found in Weinberger that would teach or suggest "a communication step of communicating commands from the host computer to the data communication apparatus through the interface, wherein the data communication apparatus is comprised of units including at least a scanner unit and a printer unit," as recited in Claim 25 (emphasis added). In particular, as Applicant's attorney argued during the November 21, 2005 telephonic interview, Weinberger at most teaches that the

central data collection point 4 communicates with the translator 6, but there is no communication between the data collection computer 16 and the copier 2 of Weinberger.

Further, nothing has been found in Weinberger that would teach or suggest "a checking step of checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus, wherein the status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state," as recited in Claim 25 (emphasis added). Specifically, translator 6 of Weinberger periodically checks the status of copier 2 and stores such information in RAM 28. When a command is received from the central data collection point 4, translator 6 retrieves the most recent status information from RAM 28 and sends it to the data collection point 4. Accordingly, translator 6 does not check, upon receipt of the command, the status of each of scanner unit and printer unit.

In addition, the passage cited in the Office Action as teaching that the status indicates a cause for the abnormality, i.e., col. 8, lines 7-49, merely states that a "user interface...can be used to alert a user as to the location and status of an error. Applicant submits that an indication of the location and status is not the same as an indication of the cause of an abnormality.

Accordingly, Claim 25 is patentable over Weinberger.

Claim 29 is directed to a method of controlling a data communication apparatus in a data processing system. The data processing system includes the data communication apparatus and a host computer, which are connected to each other through an interface. The data communication apparatus is able to communicate with another device through a network without using the interface. The method includes a command step of communicating commands from the

host computer to the data communication apparatus through an interface. The data communication apparatus is comprised of units including a scanner unit, a printer unit and a communication unit for communicating with the other device through the network. The method also includes a checking step of checking, upon receipt of the commands, a status of each of the units of the data communication apparatus. The status indicates whether at least each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state. The method also includes a notification step of notifying the host computer of a checked status of each of those units discretely.

As discussed in previous submissions, Kita et al. relates to an image processing device that is connected to an external data processing device, such as a personal computer. Applicant has found nothing in Kita et al. that would teach or suggest checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus, where the status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state, as recited in Claim 25. From the Office Action, it is understood that the Examiner does not disagree. Further, for substantially the same reasons discussed above with respect to Claim 25, nothing has been found in Weinberger that would teach or suggest this feature.

Accordingly, Applicant submits that Claim 29 is clearly patentable over Kita et al. and Weinberger, whether considered separately or in any permissible combination (if any).

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against

9

the independent claims herein. Those claims are therefore believed patentable over the art of record.
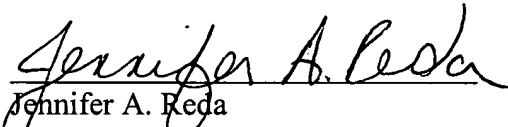
The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Early and favorable continued examination of the present application is respectfully requested.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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10